

Article - Health - General

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§18-337.

(a) In this section, “health care provider” means a physician, a physician’s designee, or a designee of a health care facility licensed or otherwise authorized to provide health care services.

(b) If an individual informed of the individual’s HIV positive status under § 18-336 of this subtitle refuses to notify the individual’s sexual and needle-sharing partners, the individual’s physician may inform the local health officer and/or the individual’s sexual and needle-sharing partners of:

- (1) The individual’s identity; and
- (2) The circumstances giving rise to the notification.

(c) When the local health officer is notified, the health officer shall enforce the provisions of §§ 18-208 through 18-213.1 of this title:

- (1) Within a reasonable time; and
- (2) To the extent feasible.

(d) Each local health officer shall refer the infected individual and any known sexual or needle-sharing partners of the individual to appropriate services for the care, support, and treatment for HIV infected individuals.

(e) A physician acting in good faith to provide notification in accordance with this section may not be held liable in any cause of action related to a breach of patient confidentiality.

(f) A physician acting in good faith may not be held liable in any cause of action for choosing not to disclose information related to a positive test result for the presence of human immunodeficiency virus to an individual’s sexual and needle-sharing partners.

(g) A hospital or any other health care provider acting in good faith pursuant to a physician’s order to perform or interpret a test for the presence of HIV may not be held liable in any cause of action related to:

- (1) A breach of patient confidentiality; or

(2) A physician's decision to disclose or not to disclose information related to a positive test result to a local health officer and/or an individual's sexual and needle-sharing partners.

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